

and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 11, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10944. Adulteration and misbranding of olive oil. U. S. v. 23 Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15358. I. S. No. 516-t. S. No. C-3201.)

On September 6, 1921, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 cans of alleged olive oil, remaining in the original unbroken packages at Alliance, Ohio, alleging that the article had been shipped by S. A. Touris, New York, N. Y., on or about July 20, 1921, and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with and substituted wholly or in part for olive oil.

Misbranding was alleged in substance for the reason that the statement "Finest Quality Table Oil Tipo Termini Imerese," together with a design of an olive tree, appearing on the labels of the cans containing the said article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On October 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10945. Misbranding of 999 nerve tonic. U. S. v. 7 Packages of 999 Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15492. S. No. C-3276.)

On October 25, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 packages of 999 nerve tonic, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Combination Remedy Co., Pittsburgh, Pa., on or about September 7, 1921, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "999 Nerve Tonic The Capsules contained in this package are considered by best authority to be the best possible remedy for nervous disorder and lost vitality, no matter from what cause."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing phosphorus and extracts of nux vomica and damiana.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, appearing on the label of the package containing the said article, were false and fraudulent in that it did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On April 25, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10946. Adulteration of alfalfa meal. U. S. v. William H. North and John North (North Bros.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 15848. I. S. No. 11647-r.)

On March 12, 1922, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. North and John North, a copartnership, trading as North Bros., Kansas City, Mo., alleging shipment by said defendants, in violation of the